

DISTRICT OF MINNESOTA

MODIFIED CHAPTER 13 PLAN

In Re: Pauline C. Kruger,

Dated: 10/01/04

DEBTOR

*In a joint case,
debtor means debtors in this plan.*

Case No. 02-30340

1. PAYMENTS BY DEBTOR —

- a. As of the date of this plan, the debtor has paid the trustee \$ 6,300.00.
- b. After the date of this plan, the debtor will pay the trustee \$ 200.00 per month for 8 months, beginning within 30 days after the filing of this plan for a total of \$ 1,600.00.
- c. The debtor will also pay the trustee _____

d. The debtor will pay the trustee a total of \$ 7,900.00 [line 1(a) + line 1(b) + line 1(c)].

2. PAYMENTS BY TRUSTEE — The trustee will make payments only to creditors for which proofs of claim have been filed, make payments monthly as available, and collect the trustee's percentage fee of 10% for a total of \$ 790.00 [line 1(d) x .10] or such lesser percentage as may be fixed by the Attorney General. For purposes of this plan, month one (1) is the month following the month in which the debtor makes the debtor's first payment. Unless ordered otherwise, the trustee will not make any payments until the plan is confirmed. Payments will accumulate and be paid following confirmation.

3. PRIORITY CLAIMS — The trustee shall pay in full all claims entitled to priority under § 507, including the following. The amounts listed are estimates only. The trustee will pay the amounts actually allowed.

Creditor	Estimated Claim	Monthly Payment	Beginning in Month #	Number of Payments	PAID TOTAL PAYMENTS
a. Attorney Fees	\$ <u>700.00</u>	\$ _____	_____	_____	\$ <u>700.00</u>
b. Internal Revenue Serv.	\$ _____	\$ _____	_____	_____	\$ _____
c. Minn. Dept of Revenue	\$ <u>383.60</u>	\$ _____	_____	_____	\$ <u>383.60</u>
d. _____	\$ _____	\$ _____	_____	_____	\$ _____
e. TOTAL					\$ <u>1,083.60</u>

4. LONG-TERM SECURED CLAIMS NOT IN DEFAULT — The following creditors have secured claims. Payments are current and the debtor will continue to make all payments which come due after the date the petition was filed directly to the creditors. The creditors will retain their liens.

- a. City & County Credit union - 1998 Volkswagen Jetta - title shall
- b. vest in the debtor upon payment in full

5. HOME MORTGAGES IN DEFAULT [§ 1322(b)(5)] — The trustee will cure defaults (plus interest at the rate of 8 per cent per annum) on claims secured only by a security interest in real property that is the debtor's principal residence as follows. The debtor will maintain the regular payments which come due after the date the petition was filed. The creditors will retain their liens. The amounts of default are estimates only. The trustee will pay the actual amounts of default.

Creditor	Amount of Default	Monthly Payment	Beginning in Month #	Number of Payments	TOTAL PAYMENTS
a. _____	\$ _____	\$ _____	_____	_____	\$ _____
b. _____	\$ _____	\$ _____	_____	_____	\$ _____
c. _____	\$ _____	\$ _____	_____	_____	\$ _____
d. TOTAL					\$ _____

6. **OTHER LONG-TERM SECURED CLAIMS IN DEFAULT** [§ 1322 (b)(5)] — The trustee will cure defaults (plus interest at the rate of 8 per cent per annum) on other claims as follows and the debtor will maintain the regular payments which come due after the date the petition was filed. The creditors will retain their liens. The amounts of default are estimates only. The trustee will pay the actual amounts of default.

Creditor	Amount of Default	Monthly Payment	Beginning in Month #	Number of Payments	TOTAL PAYMENTS
a. _____	\$ _____	\$ _____	_____	_____	\$ _____
b. _____	\$ _____	\$ _____	_____	_____	\$ _____
c. _____	\$ _____	\$ _____	_____	_____	\$ _____
d. TOTAL					\$ _____

7. **OTHER SECURED CLAIMS** [§ 1325(a)(5)] — The trustee will make payments to the following secured creditors having a value as of confirmation equal to the allowed amount of the creditor's secured claim using a discount rate of 8 percent. The creditor's allowed secured claim shall be the creditor's allowed claim or the value of the creditor's interest in the debtor's property, whichever is less. The creditors shall retain their liens. NOTE: NOTWITHSTANDING A CREDITOR'S PROOF OF CLAIM FILED BEFORE OR AFTER CONFIRMATION, THE AMOUNT LISTED IN THIS PARAGRAPH AS A CREDITOR'S SECURED CLAIM BINDS THE CREDITOR PURSUANT TO 11 U.S.C. § 1327 AND CONFIRMATION OF THE PLAN WILL BE CONSIDERED A DETERMINATION OF THE CREDITOR'S ALLOWED SECURED CLAIM UNDER 11 U.S.C. § 506(a).

Creditor	Claim Amount	Secured Claim	Monthly Payment	Beginning in Month #	Number of Payments	TOTAL PAYMENTS
a. _____	\$ _____	\$ _____	\$ _____	_____	_____	\$ _____
b. _____	\$ _____	\$ _____	\$ _____	_____	_____	\$ _____
c. _____	\$ _____	\$ _____	\$ _____	_____	_____	\$ _____
d. TOTAL						\$ _____

8. **SEPARATE CLASS OF UNSECURED CREDITORS** — In addition to the class of unsecured creditors specified in ¶ 9, there shall be a separate class of nonpriority unsecured creditors described as follows:

- a. The debtor estimates that the total claims in this class are \$ _____.
- b. The trustee will pay this class \$ _____.

9. **TIMELY FILED UNSECURED CREDITORS** — The trustee will pay holders of nonpriority unsecured claims for which proofs of claim were timely filed the balance of all payments received by the trustee and not paid under ¶ 2, 3, 5, 6, 7 and 8 their pro rata share of approximately \$ 6,026.40 [line 1(d) minus lines 2, 3(e), 5(d), 6(d), 7(d) and 8(b)].

- a. The debtor estimates that the total unsecured claims held by creditors listed in ¶ 7 are \$ 0.
- b. The debtor estimates that the debtor's total unsecured claims (excluding those in ¶ 7 and ¶ 8) are \$ 9,061.01.
- c. Total estimated unsecured claims are \$ 9,061.01 [line 9(a) + line 9(b)].

10. **TARDILY-FILED UNSECURED CREDITORS** — All money paid by the debtor to the trustee under ¶ 1, but not distributed by the trustee under ¶ 2, 3, 5, 6, 7, 8 or 9 shall be paid to holders of nonpriority unsecured claims for which proofs of claim were tardily filed.

11. **OTHER PROVISIONS** — The trustee may distribute funds not allocated above at his discretion. The tax authorities including the federal government, state revenue and property taxes shall be paid per claim whether filed as priority or secured. The plan shall allow debtors current child support obligation to be paid through payroll deduction, and the back child support obligation shall be paid in full inside the plan. All child support debt classified as non-priority shall be paid in full to the Trustee, as a separate class.

2. **SUMMARY OF PAYMENTS** —

Trustee's Fee (Line 2)	\$ 790.00
Priority Claims (Line 3(e))	\$ 1,083.60
Home Mortgage Defaults (Line 5(d))	\$ _____
Long-Term Debt Defaults (Line 6(d))	\$ _____
Other Secured Claims (Line 7(d))	\$ _____
Separate Class (Line 8(b))	\$ _____
Unsecured Creditors (Line 9(c))	\$ 6,026.40
TOTAL (must equal Line 1(d))	\$ 7,900.00

in Name, Address, Telephone and License Number of Debtor's Attorney:

Becky A. Moshier
Attorney at Law
2233 University Ave., W. Suite 420
St. Paul, MN 55114
Telephone: (651) 645-1211
Attorney Reg. No. 207871

Signed Pauline Karger
DEBTOR

Signed _____
DEBTOR (if joint case)

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA**

In Re: Pauline C. Kruger,

Bankruptcy Case No.: 03-30340

UNSWORN DECLARATION OF SERVICE

I, Becky A. Moshier, Attorney at Law, licensed to practice law in this Court, with office address of 2233 University Avenue West, Suite 420, St. Paul, Minnesota 55114, declare that on October 5, 2004, I served copies of the Notice of Motion and Motion to Modify Debtor's Chapter 13 Plan After Confirmation and the Modified Chapter 13 Plan to each of the entities named below by mailing to each of them copies thereof by enclosing the same in an envelope with first class mail postage prepaid and depositing same in the post office in St. Paul, Minnesota, addressed to each of them as follows:

Jasmine Z. Keller
Chapter 13 Trustee
12 S. 6th St., Suite 310
Minneapolis, MN 55402

U.S. Trustee
1015 U.S. Courthouse
300 S. Fourth Street
Minneapolis, MN 55415

Pauline C. Kruger
5065 Morehead Ave.
White Bear Lake, MN 55110

Chase Visa
PO Box 52095
Phoenix, AZ 85072-2095

Chase Visa
PO Box 15919
Wilmington, DE 19850-5919

City & County
Credit Union
144 11th St E
Saint Paul, MN 55101-2380

Gateway Credit Card Plan
PO Box 8181
Gray, TN 37615-8181

Gateway Credit Card Plan
PO Box 9042
Des Moines, IA 50368-9042

Park Dental Grand
917 Grand Ave.
Saint Paul, MN 55105

Target/Marshall Fields
Retailers National Bank
PO Box 59228
Minneapolis, MN 55459-0228

Telecheck Recovery Svcs Inc
PO Box 17450
Denver, CO 80217

Telecheck Recovery Svcs Inc
Corporate Offices
5251 Westheimer
Houston, TX 77056

WorldCom Wireless
PO Box 5211
New York, NY 10087-5211

WorldCom Wireless
Customer Service
PO Box 1178
Nederland, TX 77627

Chase Manhattan Bank USA NA
PO Box 659798
San Antonio, TX 78265

Retailers Natl Bank
C/O Creditors Right & Bky Gp
695 Rancocas Rd Ste 101
Westampton, NJ 08060

Chase Manhattan Bank USA NA
C/O eCast Settlement Corp.
PO Box 35480
Newark, NJ 07193-5480

MN Dept. of Revenue
Bankruptcy Section
PO Box 64447
St. Paul, MN 55164-0447

And I declare, under penalty of perjury, that the foregoing is true and correct.

Dated: October 5, 2004

/e/ BECKY A. MOSHIER
Becky A. Moshier
Attorney at Law

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In re: Pauline C. Kruger,

SIGNATURE DECLARATION

Debtor(s).

Case No. 02-30340

- ☐ PETITION, SCHEDULES & STATEMENTS
☐ CHAPTER 13 PLAN
☐ SCHEDULES AND STATEMENTS ACCOMPANYING VERIFIED CONVERSION
☐ AMENDMENT TO PETITION, SCHEDULES & STATEMENTS
☒ MODIFIED CHAPTER 13 PLAN
☒ OTHER (Please describe: Notice Of Motion And Motion To Modify Debtor's Chapter 13 Plan After Confirmation)

I [We], the undersigned debtor(s) or authorized representative of the debtor, ***make the following declarations under penalty of perjury:***

- The information I have given my attorney and provided in the electronically filed petition, statements, schedules, amendments, and/or chapter 13 plan, as indicated above, is true and correct;
- The information provided in the "Debtor Information Pages" submitted as a part of the electronic commencement of the above-referenced case is true and correct;
- **[individual debtors only]** If no Social Security Number is included in the "Debtor Information Pages" submitted as a part of the electronic commencement of the above-referenced case, it is because I do not have a Social Security Number;
- I consent to my attorney electronically filing with the United States Bankruptcy Court my petition, statements and schedules, amendments, and/or chapter 13 plan, as indicated above, together with a scanned image of this Signature Declaration and the completed "Debtor Information Pages," if applicable; and
- **[corporate and partnership debtors only]** I have been authorized to file this petition on behalf of the debtor.

Date: 10/01/04

X Pauline Kruger
Signature of Debtor or Authorized Representative

Pauline C. Kruger
Printed Name of Debtor or Authorized Representative

X _____
Signature of Joint Debtor

Printed Name of Joint Debtor